

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Tammy Nelson
Frederick H. Nelson
Debtor(s)

Bankruptcy Case No.: 16-23652-JAD
Issued Per Apr. 13, 2017 Proceeding
Chapter: 13
Docket No.: 34 – 6, 28
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 29, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,680 as of January 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Sterling Jewelers, Inc. at Claim No. 1 at zero percent. American Credit Acceptance at Claim No. 16 at \$266.56 per month. Aarons, Inc. at Claim No. 31 at zero percent. .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: April 21, 2017

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Tammy Nelson
 Frederick H. Nelson
 Debtors

Case No. 16-23652-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 76

Date Rcvd: Apr 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 23, 2017.

db/jdb
 cr
 Tammy Nelson, Frederick H. Nelson, 621 Idlewood Ave, Carnegie, PA 15106-1126
 +Peoples Natural Gas Company LLC, Attention: Barbara Rodgers, 375 North Shore Drive, Pittsburgh, PA 15212-5866
 14354887 +Aarons Inc, PO Box 100039, Kennesaw, GA 30156-9239
 14297878 Advance America, 1635 Franklin St, Toronto, OH 43964
 14326590 American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14297880 Amex, PO Box 297871, Fort Lauderdale, FL 33329-7871
 14297883 Barclays Bank Delaware, PO Box 8803, Wilmington, DE 19899-8803
 14297885 +CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238-1119)
 14297889 Cbe Group, Attn: Bankruptcy, PO Box 900, Waterloo, IA 50704-0900
 14297890 Cenlar, 425 Phillips Blvd, Ewing, NJ 08618-1430
 14297891 Chase Card, PO Box 15298, Wilmington, DE 19850-5298
 14297892 Citizens Bank, PO Box 7000, Providence, RI 02940-7000
 14297893 Combined Insurance, PO Box 1160, Glenview, IL 60025-8160
 14297894 Comenity Bank, PO Box 182125, Columbus, OH 43218-2125
 14297895 Comenity Bank/ Crate and Barrel, PO Box 659705, San Antonio, TX 78265-9705
 14297896 Comenity Bank/Avenue, PO Box 659584, San Antonio, TX 78265-9584
 14297897 Comenity Bank/Bon Ton, PO Box 182273, Columbus, OH 43218-2273
 14297898 Comenity Bank/Brylane Home, PO Box 659728, San Antonio, TX 78265-9728
 14297899 Comenity Bank/Brylnhme, PO Box 182789, Columbus, OH 43218-2789
 14297900 Comenity Bank/Cathrins, 4590 E Broad St, Columbus, OH 43213-1301
 14297901 Comenity Bank/Eldrbrmn, PO Box 182789, Columbus, OH 43218-2789
 14297902 Comenity Bank/Lane Bryant, PO Box 659728, San Antonio, TX 78265-9728
 14297903 Comenity Bank/Roamans, PO Box 182125, Columbus, OH 43218-2125
 14297904 Comenity Bank/Vctrssec, PO Box 182789, Columbus, OH 43218-2789
 14297905 Comenity Bank/Womnwthn, 4590 E Broad St, Columbus, OH 43213-1301
 14297906 Comenitybank/fllbeauty, 4590 E Broad St, Columbus, OH 43213-1301
 14297907 Community Credit, 15503 Ventura Blvd Ste 300, Encino, CA 91436-3127
 14297909 Credit Control, LLC, PO Box 248, Hazelwood, MO 63042-0248
 14297910 D & A Services, 1400 E Touhy Ave Ste G2, Des Plaines, IL 60018-3338
 14355489 Directv, LLC, by American InfoSource LP as agent, PO Box 5008, Carol Stream, IL 60197-5008
 14354863 +HomeBridge Financial Services, Inc., Cenlar FSB, 425 Phillips BLVD, Ewing, NJ 08618-1430
 14297915 KML Law Group, P.C., David Fein, Esq. Mellon Independence Cen, 701 Market St Ste 5000, Philadelphia, PA 19106-1541
 14297914 Keymed Data Services, PO Box 102607, Atlanta, GA 30368-2607
 14348771 +Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
 14347752 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue, Pittsburgh, PA 15233-1828
 14297919 Preferred Primary Care Physicians Inc., 1910 Cochran Rd, Pittsburgh, PA 15220-1203
 14297920 Preferred Primary Care Physicians Inc., 1910 Cochran Rd, Pittsburgh, PA 15220-1203
 14297921 Prime Credit, 6170 W Lake Mead Blvd # 461-2439, Las Vegas, NV 89108-2661
 14297922 Progressive Debt Relief, 5703 Red Bug Lake Rd Ste 283, Winter Springs, FL 32708-4969
 14297924 RMS, PO Box 361598, Columbus, OH 43236-1598
 14297923 Real Payday Loan Help, 13505 S Mur Len Rd Ste 105, Olathe, KS 66062-1600
 14297925 Sears/Cbna, PO Box 6282, Sioux Falls, SD 57117-6282
 14297926 ShopNow Pay Plan, PO Box 2852, Monroe, WI 53566-8052
 14308966 Wells Fargo Bank, N.A., PO Box 10438, Des Moines, IA 50306-0438
 14297936 Wfdillards, PO Box 14517, Des Moines, IA 50306-3517

Notice by electronic transmsion was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 E-mail/PDF: rmscedi@recoverycorp.com Apr 22 2017 01:13:56
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605
 14297881 E-mail/Text: g20956@att.com Apr 22 2017 01:13:08 AT & T, PO Box 6416, Carol Stream, IL 60197-6416
 14297882 E-mail/Text: g20956@att.com Apr 22 2017 01:13:08 AT & T Mobility, PO Box 6416, Carol Stream, IL 60197-6416
 14354586 +E-mail/Text: g20956@att.com Apr 22 2017 01:13:09 AT&T Mobility II LLC, %AT&T SERVICES INC., KAREN A. CAVAGNARO PARALEGAL, ONE AT&T WAY, SUITE 3A104, BEDMINSTER, NJ. 07921-2693
 14297877 Fax: 864-336-7400 Apr 22 2017 01:36:16 Advance America, 1365 Franklin St, Toronto, OH 43964-1025
 14297879 E-mail/Text: bankruptcy@acacceptance.com Apr 22 2017 01:12:28 American Credit Accept, 961 E Main St, Spartanburg, SC 29302-2185
 14297884 E-mail/Text: cms-bk@cms-collect.com Apr 22 2017 01:11:53 Capital Management Services, LP, 698 S Ogden St, Buffalo, NY 14206-2317
 14297887 E-mail/Text: cashamerica@nuvox.net Apr 22 2017 01:12:04 Cashland, 2134 Sunset Blvd, Steubenville, OH 43952-2432
 14297888 E-mail/Text: bankruptcynotices@cbecompanies.com Apr 22 2017 01:13:01 Cbe Group, 1309 Technology Pkwy, Cedar Falls, IA 50613-6976

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 76

Date Rcvd: Apr 21, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14297908 E-mail/Text: Umesh.Patil@credencerm.com Apr 22 2017 01:13:15 Credence,
17000 Dallas Pkwy Ste 204, Dallas, TX 75248-1940
14297911 E-mail/Text: collections@greentrustcash.com Apr 22 2017 01:13:15 Green Trust Cash,
PO Box 340, Hays, MT 59527-0340
14297912 E-mail/Text: Bankruptcy@homebridge.com Apr 22 2017 01:13:21
Homebridge Financial Services Inc., 194 Wood Ave S Fl 9, Iselin, NJ 08830-2761
14297913 +E-mail/Text: ebnsterling@weltman.com Apr 22 2017 01:11:56 Kay Jewelers, 375 Ghent Rd,
Fairlawn, OH 44333-4600
14297916 Fax: 864-336-7400 Apr 22 2017 01:36:16 National Cash Advance, 4213 Mall Dr,
Steubenville, OH 43952-3011
14357397 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 22 2017 01:31:21
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14297917 E-mail/Text: bankruptcypgl@plaingreenloans.com Apr 22 2017 01:13:05 Plain Green Loans,
PO Box 270, Box Elder, MT 59521-0270
14297918 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 22 2017 01:14:14
Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
14317967 E-mail/Text: bnc-quantum@quantum3group.com Apr 22 2017 01:12:02
Quantum3 Group LLC as agent for, JH Portfolio Debt Equities LLC, PO Box 788,
Kirkland, WA 98083-0788
14308027 E-mail/Text: bnc-quantum@quantum3group.com Apr 22 2017 01:12:01
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
14318836 E-mail/Text: bnc-quantum@quantum3group.com Apr 22 2017 01:12:02
Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788,
Kirkland, WA 98083-0788
14298395 E-mail/PDF: rmscedi@recoverycorp.com Apr 22 2017 01:13:39
Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
Miami, FL 33131-1605
14302467 +E-mail/Text: ecf@buckleyking.com Apr 22 2017 01:11:39
Sterling Jewelers, Inc. dba Kay Jewelers, c/o Buckley King LPA,
600 Superior Avenue East, Suite 1400, Cleveland, Ohio 44114-2693
14297927 E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:13:50 Synch/gap, PO Box 965005,
Orlando, FL 32896-5005
14297928 E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:13:36 Synch/jcp, PO Box 965007,
Orlando, FL 32896-5007
14297929 +E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:14:07 Synch/lowes, PO Box 956005,
Orlando, FL 32896-0001
14297930 E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:13:36 Synch/oldnavydc, PO Box 965005,
Orlando, FL 32896-5005
14297931 E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:13:50 Synch/qvc, PO Box 965018,
Orlando, FL 32896-5018
14297932 E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:13:50 Synch/steinmart Pllc,
PO Box 965005, Orlando, FL 32896-5005
14297933 E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:13:51 Synch/tjx Cos, PO Box 965015,
Orlando, FL 32896-5015
14297934 E-mail/PDF: gecscdi@recoverycorp.com Apr 22 2017 01:13:36 Walmart/Synchrony Bank,
PO Box 530927, Atlanta, GA 30353-0927
14297935 E-mail/Text: bnc-bluestem@quantum3group.com Apr 22 2017 01:13:10 Webbank/gettington,
6250 Ridgewood Rd, Saint Cloud, MN 56303-0820

TOTAL: 31

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr HomeBridge Financial Services, Inc.
cr Sterling Jewelers, Inc. dba Kay Jewelers
14297886* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One Bank USA N, 15000 Capital One Dr,
Richmond, VA 23238-1119)

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 23, 2017

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 76

Date Rcvd: Apr 21, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 21, 2017 at the address(es) listed below:

Alan C. Hochheiser on behalf of Creditor Sterling Jewelers, Inc. dba Kay Jewelers
ahochheiser@mauricewutscher.com
Aurelius P. Robleto on behalf of Plaintiff Frederick H. Nelson apr@robletolaw.com,
rmk@robletolaw.com,lsr@robletolaw.com,apr@ecf.courtdrive.com
Aurelius P. Robleto on behalf of Plaintiff Tammy Nelson apr@robletolaw.com,
rmk@robletolaw.com,lsr@robletolaw.com,apr@ecf.courtdrive.com
Aurelius P. Robleto on behalf of Debtor Tammy Nelson apr@robletolaw.com, rmk@robletolaw.com,
lsr@robletolaw.com,apr@ecf.courtdrive.com
Aurelius P. Robleto on behalf of Joint Debtor Frederick H. Nelson apr@robletolaw.com,
rmk@robletolaw.com,lsr@robletolaw.com,apr@ecf.courtdrive.com
James Warmbrodt on behalf of Creditor HomeBridge Financial Services, Inc.
bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor HomeBridge Financial Services, Inc.
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 10